

## **SPECIAL MEETING**

**June 21, 1993**

The Special Meeting of the Annapolis City Council was held on June 21, 1993 in the Council Chamber. Mayor Hopkins called the meeting to order at 7:34 p.m. Mayor Hopkins offered the invocation followed by the Pledge of Allegiance.

Present on Roll Call: Mayor Hopkins, Aldermen Johnson, Gilmer, Gray, Snowden, Turner, DeGraff, Moyer

Alderman Hammond arrived at 7:35 p.m.

Staff present: City Attorney Hodgson, Planning and Zoning Director Fogarty, Public Works Director Patmore, Police Chief Robbins, Finance Director Tyler, Transportation Director Chase, Personnel Director Engelke, Recreation Director Callahan, Fire Chief Sherlock, Center Services Officer Harrison

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### **PUBLIC HEARINGS**

1. Application of W/M Enterprises, Inc., t/a Ramshead Tavern, to amend a conditional use for a restaurant to allow expansion of seating, live entertainment and alcoholic beverage service for an existing restaurant at 33 West Street into 31 West Street, Annapolis.

Planning and Zoning Director Fogarty presented a background report on the application.

Planning and Zoning Commission Vice Chair Hillman presented the Commission's findings.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council from the Planning and Zoning Commission dated 6/17/93 with attachments together with a Memorandum with attachments dated 5/13/93 from the Planning and Zoning Director to the Planning and Zoning Commission.

Donna Schaeffer, 125 West Street, attorney for the applicant, gave a brief presentation. The applicant, William L. Muehlhauser, 107 Askewton Road, Severna Park, was present and answered questions addressed by the Council.

#### Speaking in favor of the application:

1. Louse Beauregard  
2 Maryland Avenue  
Annapolis, Md. 21401

No one else from the general public spoke in favor of or in opposition to the application.

Mayor Hopkins declared the public hearing closed with action to be taken at the July 12, 1993 meeting.

Mayor Hopkins announced that there would be a seven day comment period and a seven day reply period for this application.

2. Application of Robert and Diana Corbett for a conditional use to establish a three unit multi-family dwelling at 14 Fleet Street, Annapolis.

Planning and Zoning Director Fogarty presented a background report on the application.

Planning and Zoning Commission Vice Chair Hillman presented the Commission's findings.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council from the Planning and Zoning Commission dated 6/17/93 with attachments together with a

Memorandum with attachments dated 5/25/93 from the Planning and Zoning Director to the Planning and Zoning Commission.

The applicants, Robert Corbett and Diana Corbett, 695 Americana Drive, were present and answered questions addressed by the Council.

Speaking in favor of the application:

1. Ted Grier  
16 Fleet Street  
Annapolis, Md. 21401
2. Ann Dax  
12 Fleet Street  
Annapolis, Md. 21401

No one else from the general public spoke in favor of or in opposition to the application.

Mayor Hopkins declared the public hearing closed.

Following discussion, Alderman Hammond moved to suspend the rules to vote on this application. Seconded.

Following discussion, there being no voiced objection, the matter was tabled to the end of the Agenda.

3. **O-19-93** For the purpose of defining neon signs; prohibiting neon signs in certain zoning districts; and all matters relating to said neon signs.

Planning and Zoning Director Fogarty presented a background report on the ordinance.

Planning and Zoning Commission Vice Chair Hillman presented the Commission's findings.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council from the Planning and Zoning Commission dated 6/7/93 with attachments together with a Memorandum with attachments dated 4/29/93 from the Planning and Zoning Director to the Planning and Zoning Commission.

Speaking in opposition to the ordinance:

1. Michael Blonder  
2906 Winters Chase Way  
Annapolis, Md. 21403
2. Louise Beauregard  
2 Maryland Avenue  
Annapolis, Md. 21401
3. Raphael Guseman  
(Employed at Burger King  
Main and Conduit Streets)  
14714F Forest Street  
Laurel, Md.

No one else from the general public spoke in favor of or in opposition to the ordinance.

Mayor Hopkins declared the public hearing closed with action to be taken at the July 12,

1993 meeting.

4.     **O-22-93**     For the purpose of allowing certain conditional uses to be reestablished after the six month cessation period under certain circumstances; and all matters relating to said cessation of conditional uses.

Planning and Zoning Director Fogarty presented a background report on the ordinance.

Planning and Zoning Commission Vice Chair Hillman presented the Commission's findings.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council from the Planning and Zoning Commission dated 5/20/93 with attachments together with a Memorandum with attachments dated 4/29/93 from the Planning and Zoning Director to the Planning and Zoning Commission.

No one from the general public spoke in favor of or in opposition to the ordinance.

Mayor Hopkins declared the public hearing closed with action to be taken at the July 12, 1993 meeting.

5.     **O-23-93**     For the purpose of allowing limited expansion of certain residential planned unit developments and multifamily residential complexes; and all matters relating to said limited expansion.

Planning and Zoning Director Fogarty presented a background report on the ordinance.

Planning and Zoning Commission Vice Chair Hillman presented the Commission's findings.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council from the Planning and Zoning Commission dated 6/17/93 with attachments together with a Memorandum with attachments dated 4/29/93 from the Planning and Zoning Director to the Planning and Zoning Commission.

No one from the general public spoke in favor of or in opposition to the ordinance.

Mayor Hopkins declared the public hearing closed with action to be taken at the July 12, 1993 meeting.

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**SPECIAL ORDER OF BUSINESS - FY 94 OPERATING BUDGET**

1.     **O-28-93**     For the purpose of adopting a current expense budget for the City of Annapolis for the fiscal year 1993-1994, beginning July 1, 1993 and ending June 30, 1994; to appropriate funds for expenditures for the fiscal year beginning July 1, 1993 and ending June 30, 1994; and all matters generally relating thereto.

Alderman Turner moved to adopt O-28-93 on second reading. Seconded.

Alderman Snowden moved to amend O-28-93 as follows:

**AMENDMENT NO. 1 TO THE OPERATING BUDGET:**

To reduce the Special Fares revenue in the Transportation Fund by \$117,500 due to the loss of the Hospital Shuttle contract. The expenditure accounts associated with this service will also be reduced.

Revenues:

Decrease:       \$117,500

Account No. 626-0-434120-0  
Special Fares

Expenditures:

Decrease:       \$58,000

Account No. 626-444220-611000-0  
Salaries

Decrease:       \$1,200

Account No. 626-444220-652000-0  
Materials & Supplies

Decrease:       \$6,200

Account No. 626-444220-653110-0  
Fuels & Lubricants

Decrease:       \$2,400

Account No. 626-444220-653111-0  
Tires & Tubes

Decrease:       \$9,700

Account No. 626-444220-775100-0  
Repair & Maint. - Vehicles

Decrease:       \$10,000

Account No. 110-944000-921330-0  
Contingency - Salary

Decrease:       \$17,000

Account No. 626-946000-941100-0  
Interfund Admin. DR/CR - Direct

Decrease:       \$13,000

Account No. 626-946000-941200-0  
Interfund Admin. DR/CR - Indirect

Seconded. CARRIED on voice vote.

Alderman Hammond moved to amend O-28-93 as follows:

**AMENDMENT NO. 2 TO THE OPERATING BUDGET:**

To increase the contribution to the Annapolis Youth Services Bureau from \$49,500 to \$67,500.

Increase:       \$18,000

Account No. 110-199000-799200-0  
Grants and Contributions

Decrease:       \$18,000

Account No. 110-944000-921330-0  
Contingency - Salary

Seconded. CARRIED on voice vote.

Alderman Turner moved to amend O-28-93 as follows:

**AMENDMENT NO. 3 TO THE OPERATING BUDGET:**

To provide funds for an additional tractor to accomplish mowing of Old Bates Complex.

Increase:       \$12,200

Account No. 110-522000-810000-0  
Capital Outlay

Decrease:       \$12,200

Account No. 110-944000-921330-0  
Contingency - Salary

Seconded. A ROLL CALL vote was taken:

YEAS:           Mayor Hopkins, Aldermen Johnson, Gilmer, Gray, Snowden, Turner,  
DeGraff, Moyer

NAYS:           Alderman Hammond

CARRIED:       8-1

Alderman Turner moved to amend O-28-93 as follows:

**AMENDMENT NO. 4 TO THE OPERATING BUDGET:**

To reduce the tax rate from \$1.75 to \$1.72 (\$285,000).

Revenues:

Decrease:                       \$258,000

Account No. 110-0-311194-0  
Real Property Tax Revenue - FY94

Decrease: \$ 1,800

Account No. 110-0-311294-0  
Personal Property Tax Revenue - FY94

Decrease: \$ 9,000

Account No. 110-0-311394-0  
Public Utility Property Tax Revenue - FY94

Decrease: \$16,200

Account No. 110-0-311494-0  
Corporation Property Tax Revenue - FY94

Expenditures:

Decrease the following Contingency - Salary accounts

\$238,600.00	1	1	0	-	9	4	4	0	0	0	-	9	2	1	3	3	0	-	0
	General Fund																		
11,400.00					6	2	1	-	9	4	4	0	0	0	-	9	2	1	3
	Water Fund																		
5,400.00					6	2	2	-	9	4	4	0	0	0	-	9	2	1	3
	Sewer Fund																		
2,000.00					6	2	4	-	9	4	4	0	0	0	-	9	2	1	3
	Dock Fund																		
14,800.00					6	2	6	-	9	4	4	0	0	0	-	9	2	1	3
	Transportation Fund																		
11,400.00					6	2	8	-	9	4	4	0	0	0	-	9	2	1	3
	Refuse Fund																		
1,400.00					2	5	0	-	9	4	4	0	0	0	-	9	2	1	3
	CDBG																		
\$285,000.00																			

Seconded.

Alderman Hammond moved to amend Amendment No. 4 by substituting the following:

**AMENDMENT NO. 4 AS SUBSTITUTED:**

To reduce the tax rate from \$1.75 to \$1.71 (\$380,000).

Revenues:

Decrease: \$344,000

Account No. 110-0-311194-0  
Real Property Tax Revenue - FY94

Decrease: \$ 2,400

Account No. 110-0-311294-0  
Personal Property Tax Revenue - FY94

Decrease: \$12,000

Account No. 110-0-311394-0

[illegible]

6	2	6	-	9	4	4	0	0	0	-	9	2	1	3	3	0	-	0
Transportation Fund				4,600.00														
6	2	8	-	9	4	4	0	0	0	-	9	2	1	3	3	0	-	0
Refuse Fund				600.00														
<hr/>				2	5	0	-	9	4	4	0	0	0	-	9	2	1	3
CDBG Fund				3 3 0 - 0														
				\$115,000.00														

Seconded. CARRIED on voice vote.

Alderman Snowden moved to amend O-28-93 as follows:

**AMENDMENT NO. 6 TO THE OPERATING BUDGET:**

To provide funds for the purpose of complying with the goals of the Federal Consent Decree in the Fire Department and carrying out the objectives of the Affirmative Action Plan which has been adopted by the City.

Decrease: \$40,000

Account No. 110-944000-921100-0  
Contingency - General



Increase: \$40,000

Account No. 110-221000-741110-0  
Training

Seconded. A ROLL CALL vote was taken:

YEAS: Aldermen Gilmer, Snowden  
NAYS: Mayor Hopkins, Aldermen Hammond, Johnson, Gray, Turner,  
DeGraff, Moyer  
DEFEATED: 7-2

Alderman Turner moved to adopt O-28-93 Amended on second reading. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gray, Turner,  
DeGraff  
NAYS: Aldermen Gilmer, Snowden, Moyer  
CARRIED: 6-3

Alderman Turner moved to adopt O-28-93 Amended on third reading. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gray, Turner,  
DeGraff  
NAYS: Aldermen Gilmer, Snowden, Moyer  
CARRIED: 6-3

2. **O-29-93** For the purpose of levying and imposing a property tax rate for the Fiscal Year beginning July 1, 1993 and ending on June 30, 1994, for the purpose of defraying all expenses and liabilities of the City of Annapolis and levying same for the purposes specified; providing for repayment of bonds and other indebtedness; specifying certain duties of the Director of Finance, specifying a rate of interest to be charged upon overdue property taxes; and all matters related thereto.

Alderman Johnson moved to adopt O-29-93 on second reading. Seconded.

Alderman Hammond moved to substitute O-29-93 Revised for O-29-93. Seconded. CARRIED on voice vote.

Alderman Johnson moved to amend O-29-93 Revised as follows:

On page 1, line 43 and on page 2, line 3, strike "one dollar and seventy-two cents (\$1.72)" and substitute "one dollar and seventy-one cents (\$1.71)"; and

On page 2, line 9 strike "fifty-two hundredths cents (\$.0052)" and substitute "fifty hundredths cents (\$.0050)"; and

On page 2, line 17 strike "seventeen hundredths cents (\$.0017)" and substitute "twenty hundredths cents (\$.0020)"; and

On page 2, line 25 strike "sixty-one hundredths cents (\$.0061)" and substitute "sixty-three hundredths cents (\$.0063)"; and

On page 2, line 33 strike "five hundredths cents (\$.0005)" and substitute "eight hundredths cents (\$.0008)"; and

On page 2, line 42 strike "ninety-eight hundredths cents (\$.0098)" and substitute "ninety-one hundredths cents (\$.0091)"; and

On page 3, line 3 strike "twelve hundredths cents (\$.0012)" and substitute "twenty hundredths cents (\$.0020)"; and

On page 3, line 11 strike "one and no hundredths cents (\$.0100)" and substitute "ninety-seven hundredths cents (\$.0097)"; and

On page 3, line 19 strike "one and fifty-nine hundredths cents (\$.0159)" and substitute "one and sixty-nine hundredths cents (\$.0169)"; and

On page 3, line 27 strike "two and fifty-seven hundredths cents (\$.0257)" and substitute "ninety-one hundredths cents (\$.0097)"; and

On page 3, line 37 strike "two and ninety-nine hundredths cents (\$.0299)" and substitute "three and seventeen hundredths cents (\$.0317)"; and

On page 3, line 45 strike "ninety-eight hundredths cents (\$.0098)" and substitute "ninety hundredths cents (\$.0090)"; and

On page 4, line 6 strike "one and eighty-seven hundredths cents (\$.0187)" and substitute "two and no hundredths cents (\$.0020)"; and

On page 4, line 24 strike "twelve hundredths cents (\$.0012)" and substitute "fifteen hundredths cents (\$.0015)"; and

On page 4, line 33 strike "ninety-five hundredths cents (\$.0095)" and substitute "eighty-eight hundredths cents (\$.0088)"; and

On page 4, line 41 strike "two and twenty-five hundredths cents (\$.0225)" and substitute "two and thirty-eight hundredths cents (\$.0238)".

Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Gray,  
Snowden, Turner, DeGraff, Moyer

CARRIED: 9-0

Alderman Turner moved to adopt O-29-93 Revised/Amended on second reading. Seconded. CARRIED on voice vote.

Alderman Turner moved to adopt O-29-93 Revised/Amended on third reading. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Gray,  
Snowden, Turner, DeGraff, Moyer

CARRIED: 9-0

#### **BUSINESS AND MISCELLANEOUS**

1. **R-30-93** For the purpose of appointing Frances B. Phillips, the Health Officer of Anne Arundel County, as the Health Officer for the City of Annapolis; and all matters related to said appointment.

Alderman DeGraff moved to adopt R-30-93. Seconded. CARRIED on voice vote.

**PUBLIC HEARINGS**  
**(Continued from earlier in the meeting)**

2. Application of Robert and Diana Corbett for a conditional use to establish a three unit multi-family dwelling at 14 Fleet Street, Annapolis.

Alderman Hammond moved to suspend the rules and approve the application of Robert and Diana Corbett for a conditional use to establish a three unit multi-family dwelling at 14 Fleet Street, Annapolis subject to a confirmatory resolution being submitted at the July 12, 1993 meeting, including recommendations of the Planning and Zoning Department and the Planning and Zoning Commission and within 90 days of approval, the applicants shall investigate the use of CDA funds, Section 8 funds and Home Dollars in the rehabilitation of the property and report to the Housing and Community Development Committee as to the feasibility of the use of these funds. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Gray, Snowden,  
Turner, DeGraff, Moyer

CARRIED: 9-0

**BUSINESS AND MISCELLANEOUS**

2. Greenbriar Project

City Attorney Hodgson gave a brief presentation. Following discussion, Alderman Gilmer moved to accept the proposal as set forth in a letter to Mr. Jonathan A. Hodgson, City Attorney from Dallas R. Evans, Chairman, The Foundation for the Preservation of Affordable Housing, Inc. dated June 17, 1993. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 11:55 p.m.

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\_\_\_\_ Patricia L. Bembe, CMC/AAE

City Clerk

<minutes>june21